

Offeror Submission Package

(ATTACHMENT 4)

SOLICITATION **SP0600-07-R-0400**

THE ENCLOSED SOLICITATION COVERS THE PERIOD:

Ft. Wainwright: Oct 1, 07 through Sept 30, 08 or through 2012

Clear AS & Eielson: Jun 1, 07 through May 31, 08 or through 2012

INSTRUCTIONS:

1. The original and one copy of this certification package must be returned to this office as your offer. All documents to be completed and returned are contained in this Offeror Submission Package (OSP):

- ☒ Standard Form 1449
- ☒ All applicable fill-in, new and revised clauses
- ☒ DFSC Form 4.23, Authorization and Mine Description (Attachment 1)
- ☒ Contractor Past Performance Data Sheet (Attachment 2)
- ☒ DESC Form 19.3, Small Business Subcontracting Plan (Attachment 3)

*Forms are located on DESC's homepage (www.desc.dla.mil) under Forms, Reports & Publications

2. Please note: All Line Items are being solicited unrestricted

3. Be sure to check your offered prices on the DFSC Form 6.37 for accuracy and legibility prior to submission. Initial all changes, and sign and date the Standard Form 1449 and include phone/fax numbers and e-mail address.

4. If you are submitting your offer by facsimile, please limit your facsimile transmission to the contents of this Offeror Submission Package (OSP) and follow with hard copy by mail.

5. Please be sure to register in the Central Contracting Register (CCR) to be eligible for award. DFARS 204.7300

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30				1. REQUISITION NUMBER SC0600-06-0251		PAGE OSP-1 OF OSP-59		
2. CONTRACT NUMBER		3.AWARD/EFFECTIVE DATE		4. ORDER NUMBER		5. SOLICITATION NUMBER SP0600-07-R-0400		
6. SOLICITATION ISSUE DATE October 13, 2006		7. FOR SOLICITATION INFORMATION CALL: a. NAME Joan M. Brickhill		b. TELEPHONE NUMBER (no collect calls) (703) 767-8524		8. OFFER DUE DATE/ LOCAL TIME: 3:00 PM November 14, 2006		
9. ISSUED BY ATTN: DESC-APC DEFENSE ENERGY SUPPORT CENTER 8725 JOHN J. KINGMAN RD, STE 4950 FT. BELVOIR, VA 22060-6222 BUYER/ SYMBOL: Joan M. Brickhill E-mail: Joan.Brickhill@dla.mil PHONE: 703-767-8524 FAX: (703) 767-8757 Fax number for offers is : 703-767-8573 SEE. DD FORM 1707, PAGE 2, FOR ADDRESS TO FAX/SEND OFFERS.				CODE SC0600		10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED % <input type="checkbox"/> SET ASIDE % FOR SMALL BUSINESS <input type="checkbox"/> SMALL DISADV BUS BUSINESS <input type="checkbox"/> 8(A) NAICS: 212112 SIC: 5052 SIZE STANDARD: 500		
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input checked="" type="checkbox"/> SEE SCHEDULE				12. DISCOUNT TERMS		13a. THIS CONTRACT IS RATED ORDER UNDER DPAS (15 CFR 700)		
13b. RATING				14. METHOD OF SOLICITATION <input type="checkbox"/> RFQ <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP				
15. DELIVER TO SEE SCHEDULE				CODE		16. ADMINISTERED BY CODE SEE BLOCK 9		
17a. CONTRACTOR / BIDDER OFFEROR CODE				FACILITY/ CAGE CODE		18a. PAYMENT WILL BE MADE BY CODE APPROPRIATE PAYMENT OFFICE WILL BE CITED ON EACH INDIVIDUAL DELIVERY ORDER		
TELEPHONE NO. E-MAIL ADDRESS				FAX NO. DUNS NO.				
[] 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER				18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a. UNLESS BLOCK BELOW IS CHECKED [] SEE ADDENDUM				
19. ITEM NO.		20. SCHEDULE OF SUPPLIES/SERVICES		21. QUANTITY		22. UNIT		
23. UNIT PRICE		24. AMOUNT		SEE DFSC FORMS 6.37 – SCHEDULE OF SUPPLIES PAGES OSP-2 THROUGH OSP-13				
25. ACCOUNTING AND APPROPRIATION DATA						26. TOTAL AWARD AMOUNT (For Govt. Use Only)		
[X] 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4, FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA [X] ARE ATTACHED. [] ARE NOT ATTACHED.								
[] 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA [] ARE [] ARE NOT ATTACHED.								
[X] 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 1 COPY TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS AND CONDITIONS SPECIFIED HEREIN.				[] 29. AWARD OF CONTRACT: REFERENCE _____ OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES, WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS: _____.				
30a. SIGNATURE OF OFFEROR/CONTRACTOR				31a. UNITED STATES OF AMERICA (<i>SIGNATURE OF CONTRACTING OFFICER</i>)				
30b. NAME AND TITLE OF SIGNER (<i>TYPE OR PRINT</i>)			30c. DATE SIGNED		31b. NAME OF CONTRACTING OFFICER (<i>TYPE OR PRINT</i>)		31c. DATE SIGNED	
32a. QUANTITY IN COLUMN 21 HAS BEEN [] RECEIVED [] INSPECTED [] ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED				33. SHIP NUMBER		34. VOUCHER NUMBER		
				[] PARTIAL [] FINAL		35. AMOUNT VERIFIED CORRECT FOR		
32b. SIGNATURE OF AUTHORIZED GOVT. REPRESENTATIVE				32c. DATE		36. PAYMENT [] COMPLETE [] PARTIAL [] FINAL		
				38. S/R ACCOUNT NUMBER		39. S/R VOUCHER NUMBER		
41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT				40. PAID BY				
41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER				41c. DATE		42a. RECEIVED BY (<i>Print</i>)		
				42b. RECEIVED AT (<i>Location</i>)				
				42c. DATE REC'D (YY/MM/DD)		42d. TOTAL CONTAINERS		

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SECTION B
SCHEDULE OF SUPPLIES

SP0600-07-R-0400

(This is alternate of
Line Item No. **0001AA**)

REQUISITION/DATE: **SP0600-06-0251 Sep 6, 06** LINE ITEM NO. **0001** **ONE-YEAR RAIL**

INSTALLATION: **FT. WAINWRIGHT, ALASKA**

RAILHEAD AND SERVING

RAILROAD, if applicable: **FAIRBANKS/ALASKA RAILROAD**

TRANSPORTATION EQUIPMENT FOR THIS ITEM: **HOPPER BOTTOM CARS**

OFFERED PRICES SHALL BE PER NET TON: **F.O.B. RAILCARS AT DESTINATION**

COAL SIZE: **4" X 1/4"**

MINIMUM SPECIFICATIONS QUALITY REQUIRED:

Moisture, as received	% Max.	27.0	B.T.U., dry	Min.	10,822
Volatile Matter, dry	%		A.S.T., degrees F	Min.	
Ash, dry	% Max.	12.0	F.S.I.		
Sulfur, dry	% Max.	0.40	Hardgrove Grind.	Min.	

Screen Size:		Max. % Retained On	Max. % Passing Through
4"	R.H. Screen	0.0%	
1/4"	R.H. Screen		15.0%

TOTAL ESTIMATED REQUIREMENT (NET TONS): **230,000 NTS (one-year)**

ADDITIONAL QUANTITY RESERVED, if applicable (NET TONS): **N/A**

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):

				2007	JAN	FEB	MAR	APR
MAY	JUN	JUL	AUG	SEP	OCT	18,600	NOV	21,600
DEC	27,400	2008	JAN	27,100	FEB	23,700	MAR	24,000
					APR	19,000	MAY	17,900
JUN	18,000	JUL	13,000	AUG	14,400	SEP	5,300	OCT
								NOV
								DEC

MAXIMUM QUANTITY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS): **230,000 NTS (one-year)**

CONTRACTOR SHALL NOT BE REQUIRED TO MAKE ANY DELIVERIES UNDER THIS ITEM AFTER: **October 31, 2008**

MAXIMUM ORDER THIS ITEM (NET TONS): **32,400** per month.

NOTE: See Clause I86, ORDER LIMITATIONS.

I211 ORDERING (APR 1984)

(a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders by the individuals or activities designated in the Schedule. Such orders may be issued from **October 1, 2007** through **September 30, 2008**.

(b) All delivery orders are subject to the terms and conditions of this contract. In the event of conflict between a delivery order and this contract, the contract shall control.

(c) If mail, a delivery order is considered "issued" when the Government deposits the order in the mail. Orders may be issued orally or by written telecommunications only if authorized in the schedule. (FAR 52.216-18)

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE.

HANDLING COSTS, if applicable (PER NET TON): Rail : \$ _____ Truck: \$ _____

DFSC Form 6.37-S, FEB 91
(Supersedes JUN 89 Edition)

OSP-2

FT. WAINWRIGHT, AK

SECTION B SCHEDULE (RAIL) (F.O.B. RAILCARS AT DESTINATION)

SP0600-07-R-0400
LINE ITEM **0001**
(THIS IS ALTERNATE OF
LINE ITEM 0001AA)

THIS PORTION IS TO BE COMPLETED BY OFFEROR. **(ONE-YEAR RAIL)**
USE A SEPARATE SHEET FOR EACH MINE OFFERED.

OFFEROR'S NAME: _____ OFFEROR OFFERS: _____ TONS,
(Total tons offered)

AT \$ _____ NET TON FOB RAILCARS AT DESTINATION **(DELIVERED COST)**

Coal cost only:\$ _____ Transportation cost only:\$ _____.

OTHER COSTS, if any: \$ _____ (IDENTIFY _____)

COAL SIZE _____.

OFFEROR GUARANTEES THE FOLLOWING ANALYSIS FOR THIS ITEM:

Moisture, as received	% Max.	B.T.U., dry	Min.	_____
Volatile Matter, dry	_____	A.S.T., degrees F	Min.	_____
Ash, dry	% Max.	_____	_____	_____
Sulfur, dry	% Max.	Hardgrove Grind.	_____	_____

Screen Size: _____ Max. % Retained On _____ Max. % Passing Through _____

_____	R.H. Screen	_____	_____
_____	R.H. Screen	_____	_____

NAME OF MINE	STATE PERMIT NO.	TYPE	SEAM	TIPPLE/LOCATION	LABORATORY/LOCATION	SHIPPING POINT/RR
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FOR DFSC USE ONLY
DOE DATA:

() TIPPLE
() SAMPLES _____
M: _____
V: _____
A: _____
S: _____
BTU: _____
AST: _____
FSI: _____
HG: _____

RAIL FREIGHT RATE PER NET TON AND TARIFF AUTHORITY:

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE. OFFERORS: PLEASE DO NOT WRITE BELOW THIS LINE.

100%	1.00	FOB MINE	\$.	() RESP
M%	- <u>0.</u>	FREIGHT	+	\$.
DRY, BTU		FOB RAIL DEST.	\$.	() REJ _____
x _____		FP/OT FAC	+	\$.
ARBTU		HAND/ADM	+	\$ _____.
(rounded) x <u>2,000</u>	TOTAL	\$ _____.		
(A) _____	(rounded) x <u>100</u>			

(A) =
(B) =====
ARBTU PER 1¢ DEST.

(B) _____

Calculated By (Signature)

Verified By (Signature)

DFSC 6.37-R, Jun 87
(Supersedes Nov 83 Edition)

OSP- 3

LB/SB _____ LSA GROUP _____

FOR DFSC-OT DIVISION USE

SECTION B
SCHEDULE OF SUPPLIES

SP0600-07-R-0400

(This is alternate of
Line Item No. (0001)

REQUISITION/DATE: **SP0600-06-0251 Sep 6, 06** LINE ITEM NO. **0001AA** **FIVE YEAR RAIL**

INSTALLATION: **FT. WAINWRIGHT, ALASKA**

RAILHEAD AND SERVING

RAILROAD, if applicable: **FAIRBANKS/ALASKA RAILROAD**

TRANSPORTATION EQUIPMENT FOR THIS ITEM: **HOPPER BOTTOM CARS**

OFFERED PRICES SHALL BE PER NET TON: **F.O.B. RAILCARS AT DESTINATION**

COAL SIZE: **4" X 1/4"**

MINIMUM SPECIFICATIONS QUALITY REQUIRED:

Moisture, as received	% Max.	27.0	B.T.U., dry	Min.	10,822
Volatile Matter, dry	%	.	A.S.T., degrees F	Min.	
Ash, dry	% Max.	12.0	F.S.I.		
Sulfur, dry	% Max.	0.40	Hardgrove Grind.	Min.	

<u>Screen Size:</u>		<u>Max. % Retained On</u>	<u>Max. % Passing Through</u>
4"	R.H. Screen	0.0%	
1/4"	R.H. Screen		15.0%

TOTAL ESTIMATED REQUIREMENT (NET TONS): **1,150,000 (five-year)**

ADDITIONAL QUANTITY RESERVED, if applicable (NET TONS): **N/A**

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):

				*2007	JAN	FEB	MAR	APR
MAY	JUN	JUL	AUG	SEP	OCT	18,600	NOV	21,600
DEC	27,400	2008	JAN	27,100	FEB	23,700	MAR	24,000
					APR	19,000	MAY	17,900
JUN	18,000	JUL	13,000	AUG	14,400	SEP	5,300	OCT
								NOV
								DEC

MAXIMUM QUANTITY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS): **1,150,000**

CONTRACTOR SHALL NOT BE REQUIRED TO MAKE ANY DELIVERIES UNDER THIS ITEM AFTER: **October 31, 2012**

MAXIMUM ORDER THIS ITEM (NET TONS): **32,400** per month.

NOTE: See Clause I86, ORDER LIMITATIONS.

I211 ORDERING (APR 1984)

(a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders by the individuals or activities designated in the Schedule. Such orders may be issued from **October 1, 2007** through **September 30, 2012**.

(b) All delivery orders are subject to the terms and conditions of this contract. In the event of conflict between a delivery order and this contract, the contract shall control.

(c) If mail, a delivery order is considered "issued" when the Government deposits the order in the mail. Orders may be issued orally or by written telecommunications only if authorized in the schedule. (FAR 52.216-18)

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE.

HANDLING COSTS, if applicable (PER NET TON): Rail : \$ _____ Truck: \$ _____

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(Supersedes JUN 89 Edition)

***THE MONTHLY REQUIREMENTS FOR THE FIVE-YEAR PERIOD WILL BE THE SAME QUANTITIES FOR EACH SUCCEEDING YEAR AS THE ONE-YEAR PERIOD.**

FT. WAINWRIGHT, AK

SECTION B
SCHEDULE (RAIL)
(F.O.B. RAILCARS AT DESTINATION)

SP0600-07-R-0400
LINE ITEM 0001AA
(THIS IS ALTERNATE OF
LINE ITEM 0001)

THIS PORTION IS TO BE COMPLETED BY OFFEROR. **(FIVE-YEAR RAIL)**
USE A SEPARATE SHEET FOR EACH MINE OFFERED.

OFFEROR'S NAME: _____ OFFEROR OFFERS: _____ TONS,
(Total tons offered)

AT \$ _____ NET TON FOB RAILCARS AT DESTINATION **(DELIVERED COST)**

Coal cost only:\$ _____ **Transportation cost only:**\$ _____.

OTHER COSTS, if any: \$ _____ (IDENTIFY _____)

COAL SIZE _____.

OFFEROR GUARANTEES THE FOLLOWING ANALYSIS FOR THIS ITEM:

Moisture, as received	% Max.	_____	B.T.U., dry	Min.	_____
Volatile Matter, dry		_____	A.S.T., degrees F	Min.	_____
Ash, dry	% Max.	_____			_____
Sulfur, dry	% Max.	_____	Hardgrove Grind.		_____

<u>Screen Size:</u>	<u>Max. % Retained On</u>	<u>Max. % Passing Through</u>
---------------------	---------------------------	-------------------------------

_____ R.H. Screen	_____	_____
_____ R.H. Screen	_____	_____

NAME OF MINE	STATE PERMIT NO.	TYPE	SEAM	TIPPLE/LOCATION	LABORATORY/LOCATION	SHIPPING POINT/RR
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FOR DFSC USE ONLY

DOE DATA:

() TIPPLE

() SAMPLES _____

M: _____

V: _____

A: _____

S: _____

BTU: _____

AST: _____

FSI: _____

HG: _____

RAIL FREIGHT RATE PER NET TON AND TARIFF AUTHORITY:

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE. OFFERORS: PLEASE DO NOT WRITE BELOW THIS LINE.

100%	1.00	FOB MINE	\$.	() RESP
M%	- 0.	FREIGHT	+	\$.

DRY, BTU	FOB RAIL DEST.	\$.	() REJ
x _____	FP/OT FAC	+	\$.

ARBTU	HAND/ADM	+	\$ _____.
-------	----------	---	-----------

(rounded) x <u>2,000</u>	TOTAL	\$ _____.
--------------------------	-------	-----------

(A) _____	(rounded) x <u>100</u>
-----------	------------------------

(B) _____

(A) =
(B) =====
ARBTU PER 1¢ DEST.

Calculated By (Signature)

Verified By (Signature)

DFSC 6.37-R, Jun 87
(Supersedes Nov 83 Edition)

FOR DFSC-OT DIVISION USE

SECTION B
SCHEDULE OF SUPPLIES

SP0600-07-R-0400

(This is alternate of
Line Item No. 0002AA.)

REQUISITION/DATE: SP0600-06-0251 Sep 6, 06 LINE ITEM NO. 0002 ONE YEAR RAIL

INSTALLATION: Clear AFS, AK

RAILHEAD AND SERVING

RAILROAD, if applicable: Clear AFS, AK/Alaska Railroad

TRANSPORTATION EQUIPMENT FOR THIS ITEM: 70-100 Ton Hopper Bottom Railcars

OFFERED PRICES SHALL BE PER NET TON: F.O.B. RAILCARS AT DESTINATION

COAL SIZE: 4" X 1/4"

MINIMUM SPECIFICATIONS QUALITY REQUIRED:

Moisture, as received	% Max. <u>27.0</u>	B.T.U., dry	Min. <u>10,822</u>
Volatile Matter, dry	% Max. _____	A.S.T., degrees F	Min. _____
Ash, dry	% Max. <u>12.0</u>	F.S.I.	Max. _____
Sulfur, dry	% Max. <u>0.40</u>	Hardgrove Grind.	Min. _____

Screen Size:	Max. % Retained On	Max. % Passing Through
<u>4"</u> R.H. Screen	<u>0.0%</u>	_____
<u>1/4"</u> R.H. Screen	_____	<u>15.0%</u>

TOTAL ESTIMATED REQUIREMENT (NET TONS): 58,000 (one-year)

ADDITIONAL QUANTITY RESERVED, if applicable (NET TONS): N/A

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):										2007	JAN	FEB	MAR	APR
MAY	JUN	4,500	JUL	4,500	AUG	4,000	SEP	4,500	OCT	4,500	NOV	4,500		
DEC	6,500	2008	JAN	6,000	FEB	4,800	MAR	5,700	APR	4,600	MAY	3,900		
JUN	JUL	AUG	SEP	OCT	NOV	DEC								

MAXIMUM QUANTITY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS): 58,000

CONTRACTOR SHALL NOT BE REQUIRED TO MAKE ANY DELIVERIES UNDER THIS ITEM AFTER: June 30, 2008

MAXIMUM ORDER THIS ITEM (NET TONS): 8,500 per month.

NOTE: See Clause I86, ORDER LIMITATIONS.

I211 ORDERING (APR 1984)

(a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders by the individuals or activities designated in the Schedule. Such orders may be issued from June 1, 2007 through May 31, 2008.

(b) All delivery orders are subject to the terms and conditions of this contract. In the event of conflict between a delivery order and this contract, the contract shall control.

(c) If mail, a delivery order is considered "issued" when the Government deposits the order in the mail. Orders may be issued orally or by written telecommunications only if authorized in the schedule. (FAR 52.216-18)

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE.

HANDLING COSTS, if applicable (PER NET TON): Rail : \$ _____ Truck: \$ _____

DFSC Form 6.37-S, FEB 91
(Supersedes JUN 89 Edition)

OSP-6

CLEAR AFS, AK

SECTION B SCHEDULE (RAIL) (F.O.B. RAILCARS AT DESTINATION)

SP0600-07-R-0400
LINE ITEM **0002**
(THIS IS ALTERNATE OF
LINE ITEM 0002AA)

THIS PORTION IS TO BE COMPLETED BY OFFEROR. **(ONE-YEAR RAIL)**
USE A SEPARATE SHEET FOR EACH MINE OFFERED.

OFFEROR'S NAME: _____ OFFEROR OFFERS: _____ TONS,
(Total tons offered)

AT \$ _____ NET TON FOB RAILCARS AT DESTINATION **(DELIVERED COST)**

Coal cost only:\$ _____ **Transportation cost only:**\$ _____.

OTHER COSTS, if any: \$ _____ (IDENTIFY _____)

COAL SIZE _____.

OFFEROR GUARANTEES THE FOLLOWING ANALYSIS FOR THIS ITEM:

Moisture, as received	% Max.	_____	B.T.U., dry	Min.	_____
Volatile Matter, dry		_____	A.S.T., degrees F	Min.	_____
Ash, dry	% Max.	_____			_____
		Min.			_____
Sulfur, dry	% Max.	_____	Hardgrove Grind.		_____
		_____			_____

Screen Size: _____ Max. % Retained On _____ Max. % Passing Through _____

_____	R.H. Screen	_____	_____
_____	R.H. Screen	_____	_____

NAME OF MINE _____

STATE PERMIT NO. _____ TYPE _____ SEAM _____ TIPPLE/LOCATION _____ LABORATORY/LOCATION _____ SHIPPING POINT/RR _____

FOR DFSC USE ONLY

DOE DATA:

() TIPPLE

() SAMPLES _____

M: _____

V: _____

A: _____

S: _____

BTU: _____

AST: _____

FSI: _____

HG: _____

RAIL FREIGHT RATE PER NET TON AND TARIFF AUTHORITY:

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE. OFFERORS: PLEASE DO NOT WRITE BELOW THIS LINE.

100% 1.00 FOB MINE \$. () RESP

M% - 0. FREIGHT + \$. () NONRESP _____

DRY, BTU FOB RAIL DEST. \$. () REJ _____

x _____ FP/OT FAC + \$. LB/SB _____ LSA GROUP _____

ARBTU HAND/ADM + \$ _____.

(rounded) x 2,000 TOTAL \$ _____.

(A) _____ (rounded) x 100 _____

(B) _____

(A) = _____

(B) = _____

ARBTU PER 1¢ DEST.

Calculated By (Signature) _____

Verified By (Signature) _____

DFSC 6.37-R, Jun 87
(Supersedes Nov 83 Edition)

FOR DFSC-OT DIVISION USE

SECTION B
SCHEDULE OF SUPPLIES

SP0600-07-R-0400

(This is alternate of
Line Item No. 0002.)

REQUISITION/DATE: SP0600-06-0251 Sep 6, 06 LINE ITEM NO. 0002AA FIVE YEAR RAIL

INSTALLATION: Clear AFS, AK

RAILHEAD AND SERVING

RAILROAD, if applicable: Clear AFS, AK/Alaska Railroad

TRANSPORTATION EQUIPMENT FOR THIS ITEM: 70-100 Ton Hopper Bottom Railcars

OFFERED PRICES SHALL BE PER NET TON: F.O.B. RAILCARS AT DESTINATION

COAL SIZE: 4" X 1/4"

MINIMUM SPECIFICATIONS QUALITY REQUIRED:

Moisture, as received	% Max. <u>27.0</u>	B.T.U., dry	Min. <u>10,822</u>
Volatile Matter, dry	% Max. _____	A.S.T., degrees F	Min. _____
Ash, dry	% Max. <u>12.0</u>	F.S.I.	Max. _____
Sulfur, dry	% Max. <u>0.40</u>	Hardgrove Grind.	Min. _____

Screen Size:	Max. % Retained On	Max. % Passing Through
<u>4"</u> R.H. Screen	<u>0.0%</u>	_____
<u>1/4"</u> R.H. Screen	_____	<u>15.0%</u>

TOTAL ESTIMATED REQUIREMENT (NET TONS): 290,000 (five-year)

ADDITIONAL QUANTITY RESERVED, if applicable (NET TONS): N/A

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):

		*2007	JAN	FEB	MAR	APR
MAY	JUN	4,500	JUL	4,500	AUG	4,000
SEP	4,500	OCT	4,500	NOV	4,500	
DEC	6,500	2008	JAN	6,000	FEB	4,800
MAR	5,700	APR	4,600	MAY	3,900	
JUN		JUL		AUG		SEP
OCT		NOV		DEC		

MAXIMUM QUANTITY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS): 58,000

CONTRACTOR SHALL NOT BE REQUIRED TO MAKE ANY DELIVERIES UNDER THIS ITEM AFTER: June 30, 2012

MAXIMUM ORDER THIS ITEM (NET TONS): 8,500 per month.

NOTE: See Clause I86, ORDER LIMITATIONS.

I211 ORDERING (APR 1984)

(a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders by the individuals or activities designated in the Schedule. Such orders may be issued from June 1, 2007 through May 31, 2012.

(b) All delivery orders are subject to the terms and conditions of this contract. In the event of conflict between a delivery order and this contract, the contract shall control.

(c) If mail, a delivery order is considered "issued" when the Government deposits the order in the mail. Orders may be issued orally or by written telecommunications only if authorized in the schedule. (FAR 52.216-18)

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE.

HANDLING COSTS, if applicable (PER NET TON): Rail : \$ _____ Truck: \$ _____

DFSC Form 6.37-S, FEB 91(Supersedes JUN 89 Edition)

***THE MONTHLY REQUIREMENTS FOR THE FIVE-YEAR PERIOD WILL BE THE SAME
QUANTITIES FOR EACH SUCCEEDING YEAR.**

OSP-8

CLEAR AFS, AK

SECTION B SCHEDULE (RAIL) (F.O.B. RAILCARS AT DESTINATION)

SP0600-07-R-0400
LINE ITEM **0002AA**
(THIS IS ALTERNATE OF
LINE ITEM 0002)

THIS PORTION IS TO BE COMPLETED BY OFFEROR.
USE A SEPARATE SHEET FOR EACH MINE OFFERED. **(FIVE-YEAR RAIL)**

OFFEROR'S NAME: _____ OFFEROR OFFERS: _____ TONS,
(Total tons offered)

AT \$ _____ NET TON FOB RAILCARS AT DESTINATION **(DELIVERED COST)**

Coal cost only:\$ _____ Transportation cost only:\$ _____.

OTHER COSTS, if any: \$ _____ (IDENTIFY _____)

COAL SIZE _____.

OFFEROR GUARANTEES THE FOLLOWING ANALYSIS FOR THIS ITEM:

Moisture, as received	% Max.	B.T.U., dry	Min.
Volatile Matter, dry	_____	A.S.T., degrees F	Min. _____
Ash, dry	% Max. _____		
Sulfur, dry	% Max. _____	Hardgrove Grind.	_____

Screen Size: _____ Max. % Retained On _____ Max. % Passing Through _____

_____ R.H. Screen	_____	_____
_____ R.H. Screen	_____	_____

NAME OF MINE _____

STATE PERMIT NO. _____ TYPE _____ SEAM _____ TIPPLE/LOCATION _____ LABORATORY/LOCATION _____ SHIPPING POINT/RR _____

RAIL FREIGHT RATE PER NET TON AND TARIFF AUTHORITY:

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE. OFFERORS: PLEASE DO NOT WRITE BELOW THIS LINE.

100%	1.00	FOB MINE	\$.	() RESP
M%	- <u>0.</u>	FREIGHT	+ \$.	() NONRESP _____
DRY, BTU		FOB RAIL DEST.	\$.	() REJ _____
x _____		FP/OT FAC	+ \$.	

ARBTU _____ HAND/ADM + \$ _____.

(rounded) x 2,000 TOTAL \$ _____.

(A) _____ (rounded) x 100 _____

(B) _____

(A) =
(B) =====

ARBTU PER 1¢ DEST.

Calculated By (Signature)

Verified By (Signature)

DFSC 6.37-R, Jun 87
(Supersedes Nov 83 Edition)

OSP-9

FOR DFSC USE ONLY
DOE DATA:

() TIPPLE

() SAMPLES _____

M: _____

V: _____

A: _____

S: _____

BTU: _____

AST: _____

FSI: _____

HG: _____

LB/SB _____ LSA GROUP _____

FOR DFSC-OT DIVISION USE

SECTION B
SCHEDULE OF SUPPLIES

SP0600-07-R-0400

(This is alternate of
Line Item No. 0003AA.)

REQUISITION/DATE: SP0600-06-0251 Sep 6, 06 LINE ITEM NO. 0003 ONE YEAR RAIL

INSTALLATION: Eielson AFB, AK

RAILHEAD AND SERVING

RAILROAD, if applicable: Fairbanks/Alaska Railroad.

TRANSPORTATION EQUIPMENT FOR THIS ITEM: 70 - 100 Ton Hopper Bottom Railcars

OFFERED PRICES SHALL BE PER NET TON: F.O.B. RAILCARS AT DESTINATION

COAL SIZE: 4" X 1/4"

MINIMUM SPECIFICATIONS QUALITY REQUIRED:

Moisture, as received	% Max. <u>27.0</u>	B.T.U., dry	Min. <u>10,822</u>
Volatile Matter, dry	% Max. _____	A.S.T., degrees F	Min. _____
Ash, dry	% Max. <u>12.0</u>	F.S.I.	Max. _____
Sulfur, dry	% Max. <u>0.40</u>	Hardgrove Grind.	Min. _____

Screen Size:		Max. % Retained On	Max. % Passing Through
<u>4"</u>	R.H. Screen	<u>0.0%</u>	_____
<u>1/4"</u>	R.H. Screen	_____	<u>15.0%</u>

TOTAL ESTIMATED REQUIREMENT (NET TONS): 196,500 (One Year)

ADDITIONAL QUANTITY RESERVED, if applicable (NET TONS): N/A

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):					2007	JAN	FEB	MAR	APR			
MAY	JUN	12,000	JUL	12,000	AUG	12,500	SEP	13,500	OCT	15,500	NOV	19,000
DEC	21,500	2008	JAN	22,500	FEB	19,000	MAR	20,000	APR	15,500	MAY	13,500
JUN	JUL	AUG	SEP	OCT	NOV	DEC						

MAXIMUM QUANTITY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS): 196,500

CONTRACTOR SHALL NOT BE REQUIRED TO MAKE ANY DELIVERIES UNDER THIS ITEM AFTER: June 30, 2008

MAXIMUM ORDER THIS ITEM (NET TONS): 25,500 per month.

NOTE: See Clause I86, ORDER LIMITATIONS.

I211 ORDERING (APR 1984)

(a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders by the individuals or activities designated in the Schedule. Such orders may be issued from June 1, 2007 through May 31, 2008.

(b) All delivery orders are subject to the terms and conditions of this contract. In the event of conflict between a delivery order and this contract, the contract shall control.

(c) If mail, a delivery order is considered "issued" when the Government deposits the order in the mail. Orders may be issued orally or by written telecommunications only if authorized in the schedule. (FAR 52.216-18)

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE.

HANDLING COSTS, if applicable (PER NET TON): Rail : \$ _____ Truck: \$ _____

DFSC Form 6.37-S, FEB 91
(Supersedes JUN 89 Edition)

OSP-10

EIELSON AFB, AK

SECTION B
SCHEDULE (RAIL)
(F.O.B. RAILCARS AT DESTINATION)

SP0600-07-R-0400
LINE ITEM 0003
(THIS IS ALTERNATE OF
LINE ITEM 0003AA)

THIS PORTION IS TO BE COMPLETED BY OFFEROR. **(ONE-YEAR RAIL)**
USE A SEPARATE SHEET FOR EACH MINE OFFERED.

OFFEROR'S NAME: _____ OFFEROR OFFERS: _____ TONS,
(Total tons offered)

AT \$ _____ NET TON FOB RAILCARS AT DESTINATION **(DELIVERED COST)**

Coal cost only:\$ _____ **Transportation cost only:**\$ _____.

OTHER COSTS, if any: \$ _____ (IDENTIFY _____)

COAL SIZE _____.

OFFEROR GUARANTEES THE FOLLOWING ANALYSIS FOR THIS ITEM:

Moisture, as received	% Max.	_____	B.T.U., dry	Min.	_____
Volatile Matter, dry		_____	A.S.T., degrees F	Min.	_____
Ash, dry	% Max.	_____			_____
		Min.			_____
Sulfur, dry	% Max.	_____	Hardgrove Grind.		_____
		_____			_____

Screen Size: _____ Max. % Retained On _____ Max. % Passing Through _____

_____	R.H. Screen	_____	_____
_____	R.H. Screen	_____	_____

NAME OF MINE	STATE PERMIT NO.	TYPE	SEAM	TIPPLE/LOCATION	LABORATORY/LOCATION	SHIPPING POINT/RR
--------------	------------------	------	------	-----------------	---------------------	-------------------

FOR DFSC USE ONLY

DOE DATA:

() TIPPLE

() SAMPLES _____

M: _____

V: _____

A: _____

S: _____

BTU: _____

AST: _____

FSI: _____

HG: _____

RAIL FREIGHT RATE PER NET TON AND TARIFF AUTHORITY:

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE. OFFERORS: PLEASE DO NOT WRITE BELOW THIS LINE.

100%	1.00	FOB MINE	\$.	() RESP
M%	- <u>0.</u>	FREIGHT	+ \$.	() NONRESP _____
DRY, BTU		FOB RAIL DEST.	\$.	() REJ _____

x _____	FP/OT FAC	+ \$.	LB/SB _____ LSA GROUP _____
---------	-----------	--------	-----------------------------

ARBTU	HAND/ADM	+ \$ _____.
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(rounded) x 2,000 TOTAL \$ _____.

(A) _____ (rounded) x 100 _____

(B) _____

(A) = _____

(B) = _____

ARBTU PER 1¢ DEST.

Calculated By (Signature)

Verified By (Signature)

DFSC 6.37-R, Jun 87
(Supersedes Nov 83 Edition)

FOR DFSC-OT DIVISION USE

SECTION B
SCHEDULE OF SUPPLIES

SP0600-07-R-0400

(This is alternate of
Line Item No. 0003)

REQUISITION/DATE: SP0600-06-0251 Sep 6, 06 LINE ITEM NO. 0003AA **FIVE YEAR RAIL**

INSTALLATION: Eielson AFB, AK

RAILHEAD AND SERVING

RAILROAD, if applicable: Fairbanks/Alaska Railroad.

TRANSPORTATION EQUIPMENT FOR THIS ITEM: 70 - 100 Ton Hopper Bottom Railcars

OFFERED PRICES SHALL BE PER NET TON: F.O.B. RAILCARS AT DESTINATION

COAL SIZE: 4" X 1/4"

MINIMUM SPECIFICATIONS QUALITY REQUIRED:

Moisture, as received	% Max. <u>27.0</u>	B.T.U., dry	Min. <u>10,822</u>
Volatile Matter, dry	% Max. _____	A.S.T., degrees F	Min. _____
Ash, dry	% Max. <u>12.0</u>	F.S.I.	Max. _____
Sulfur, dry	% Max. <u>0.40</u>	Hardgrove Grind.	Min. _____

Screen Size:		Max. % Retained On	Max. % Passing Through
<u>4"</u>	R.H. Screen	<u>0.0%</u>	_____
<u>1/4"</u>	R.H. Screen	_____	<u>15.0%</u>

TOTAL ESTIMATED REQUIREMENT (NET TONS): 982,500 (five-year)

ADDITIONAL QUANTITY RESERVED, if applicable (NET TONS): N/A

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):

ESTIMATED MONTHLY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS):					*2007	JAN	FEB	MAR	APR			
MAY	JUN	12,000	JUL	12,000	AUG	12,500	SEP	13,500	OCT	15,500	NOV	19,000
DEC	21,500	2008	JAN	22,500	FEB	19,000	MAR	20,000	APR	15,500	MAY	13,500
JUN	JUL	AUG	SEP	OCT	NOV	DEC						

MAXIMUM QUANTITY CONTRACTOR SHALL BE OBLIGATED TO FURNISH (NET TONS): 196,500

CONTRACTOR SHALL NOT BE REQUIRED TO MAKE ANY DELIVERIES UNDER THIS ITEM AFTER: June 30, 2012

MAXIMUM ORDER THIS ITEM (NET TONS): 25,500 per month.

NOTE: See Clause I86, ORDER LIMITATIONS.

I211 ORDERING (APR 1984)

(a) Any supplies and services to be furnished under this contract shall be ordered by issuance of delivery orders by the individuals or activities designated in the Schedule. Such orders may be issued from June 1, 2007 through May 31, 2012.

(b) All delivery orders are subject to the terms and conditions of this contract. In the event of conflict between a delivery order and this contract, the contract shall control.

(c) If mail, a delivery order is considered "issued" when the Government deposits the order in the mail. Orders may be issued orally or by written telecommunications only if authorized in the schedule. (FAR 52.216-18)

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE.

HANDLING COSTS, if applicable (PER NET TON): Rail : \$ _____ Truck: \$ _____

DFSC Form 6.37-S, FEB 91
(Supersedes JUN 89 Edition)

***THE MONTHLY REQUIREMENTS FOR THE FIVE-YEAR PERIOD WILL BE THE SAME QUANTITIES FOR EACH SUCCEEDING YEAR AS THE ONE-YEAR PERIOD.**

OSP-12

EIELSON AFB, AK

SECTION B
SCHEDULE (RAIL)
(F.O.B. RAILCARS AT DESTINATION)

SP0600-07-R-0400
LINE ITEM 0002AA
(THIS IS ALTERNATE OF
LINE ITEM 0002)

THIS PORTION IS TO BE COMPLETED BY OFFEROR. **(FIVE-YEAR RAIL)**
USE A SEPARATE SHEET FOR EACH MINE OFFERED.

OFFEROR'S NAME: _____ OFFEROR OFFERS: _____ TONS,
(Total tons offered)

AT \$ _____ NET TON FOB RAILCARS AT DESTINATION **(DELIVERED COST)**

Coal cost only:\$ _____ **Transportation cost only:**\$ _____.

OTHER COSTS, if any: \$ _____ (IDENTIFY _____)
COAL SIZE _____.

OFFEROR GUARANTEES THE FOLLOWING ANALYSIS FOR THIS ITEM:

Moisture, as received	% Max.	_____	B.T.U., dry	Min.	_____
Volatile Matter, dry		_____	A.S.T., degrees F	Min.	_____
Ash, dry	% Max.	_____			_____
	Min.	_____			_____
Sulfur, dry	% Max.	_____	Hardgrove Grind.		_____
		_____			_____

Screen Size: _____ Max. % Retained On _____ Max. % Passing Through _____

_____	R.H. Screen	_____	_____
_____	R.H. Screen	_____	_____

NAME OF MINE _____

<u>STATE PERMIT NO.</u>	<u>TYPE</u>	<u>SEAM</u>	<u>TIPPLE/LOCATION</u>	<u>LABORATORY/LOCATION</u>	<u>SHIPPING POINT/RR</u>
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FOR DFSC USE ONLY

DOE DATA:

() TIPPLE

() SAMPLES _____

M: _____

V: _____

A: _____

S: _____

BTU: _____

AST: _____

FSI: _____

HG: _____

RAIL FREIGHT RATE PER NET TON AND TARIFF AUTHORITY:

THE FOLLOWING SPACE IS RESERVED FOR DFSC USE. OFFERORS: PLEASE DO NOT WRITE BELOW THIS LINE.

100%	1.00	FOB MINE	\$.	() RESP
M%	- <u>0.</u>	FREIGHT	+ \$.	() NONRESP _____
DRY, BTU		FOB RAIL DEST.	\$.	() REJ _____
x _____		FP/OT FAC	+ \$.	LB/SB _____ LSA GROUP _____
ARBTU		HAND/ADM	+ \$ _____.	<u>FOR DFSC-OT DIVISION USE</u>
(rounded) x <u>2,000</u>	TOTAL	\$ _____.		
(A) _____		(rounded) x <u>100</u>		
(A) =		(B) _____		
(B) =====				
ARBTU PER 1¢ DEST.				

Calculated By (Signature)

Verified By (Signature)

DFSC 6.37-R, Jun 87
(Supersedes Nov 83 Edition)

REGULATORY COMMERCIAL ITEM CLAUSES AND PROVISIONS

K1.01-10 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS (ALTERNATES I/II)
(MAR 2005/APR 2002/OCT 2000)

An offeror shall complete only paragraph (j) of this provision if the offeror has completed the annual representations and certifications electronically at <http://orca.bpn.gov>. If an offeror has not completed the annual representations and certifications electronically at the ORCA website, the offeror shall complete only paragraphs (b) through (i) of this provision.

(a) **DEFINITIONS.** As used in this provision--

(1) **Emerging small business** means a small business concern whose size is no greater than 50 percent of the numerical size standard for the NAICS code designated.

(2) **Forced or indentured child labor means** all work or service—

(i) Exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; or

(ii) Performed by any person under the age of 18 pursuant to a contract, the enforcement of which can be accomplished by process of penalties.

(3) **Service-disabled veteran-owned small business concern—**

(i) Means a small business concern—

(A) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(B) The management and daily business operations are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(ii) **Service-disabled veteran** means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

(4) **Small business concern** means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and size standards in this solicitation.

(5) **Veteran-owned small business concern means a small business concern—**

(i) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly-owned business, not less than 51 percent of the stock of which is owned by one or more veterans, and

(ii) The management and daily business operations of which are controlled by one or more veterans.

(6) **Women-owned business concern** means a concern that is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

(7) **Women-owned small business concern** means a small business concern--

(i) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(ii) Whose management and daily business operations are controlled by one or more women.

(b) **TAXPAYER IDENTIFICATION NUMBER (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (Not applicable if the offeror is required to provide this information to a central contractor registration database to be eligible for award.)**

(1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).

(2) The TIN may be used by the Government to collect and report on any delinquent amounts arising out of the offeror's relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror's TIN.

(3) **TAXPAYER IDENTIFICATION NUMBER (TIN).**

[] TIN: _____

[] TIN has been applied for.

[] TIN is not required because:

K1.01-10 (Cont'd)

☐ Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the U.S. and does not have an office or place of business or a fiscal paying agent in the U.S.

☐ Offeror is an agency or instrumentality of a foreign government;

☐ Offeror is an agency or instrumentality of a Federal government;

(4) TYPE OF ORGANIZATION.

☐ Sole proprietorship;

☐ Partnership;

☐ Corporate entity (not tax-exempt);

☐ Corporate entity (tax-exempt);

☐ Government entity (Federal, State, or local);

☐ Foreign government;

☐ International organization per 26 CFR 1.6049-4;

☐ Other: _____.

(5) COMMON PARENT.

☐ Offeror is not owned or controlled by a common parent.

☐ Name and TIN of common parent:

Name _____

TIN _____

(c) Offerors must complete the following representations when the resulting contract is to be performed in the United States or its outlying areas. Check all that apply.

(1) SMALL BUSINESS CONCERN. The offeror represents as part of its offer that it--

☐ is

☐ is not

a small business concern.

(2) VETERAN-OWNED SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents as part of its offer that it--

☐ is

☐ is not

a veteran-owned small business concern.

(3) SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(2) of this provision.) The offeror represents as part of its offer that it--

☐ is

☐ is not

a service-disabled veteran-owned small business concern.

K1.01-10 (Cont'd)

(4) SMALL DISADVANTAGED BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents, for general statistical purposes, that it--

- ☐ is
☐ is not

a small disadvantaged business concern as defined in 13 CFR 124.1002.

(5) WOMEN-OWNED SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents that it--

- ☐ is
☐ is not

a woman-owned small business concern.

NOTE: Complete paragraphs (c)(6) and (c)(7) only if this solicitation is expected to exceed the simplified acquisition threshold.

(6) WOMEN-OWNED BUSINESS CONCERN (OTHER THAN SMALL BUSINESS CONCERN). (Complete only if the offeror is a women-owned business concern and did not represent itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents that it -

- ☐ is

a women owned business concern.

(7) TIE BID PRIORITY FOR LABOR SURPLUS AREA CONCERNS. If this is an invitation for bid, small business offerors may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price.

(8) SMALL BUSINESS SIZE FOR THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM AND FOR THE TARGETED INDUSTRY CATEGORIES UNDER THE SMALL BUSINESS COMPETITIVENESS DEMONSTRATION PROGRAM. (Complete only if the offeror has represented itself to be a small business concern under the size standards for this solicitation.)

(i) (Complete only for solicitations indicated in an addendum as being set-aside for emerging small businesses in one of the designated industry groups (DIGs)). The offeror represents as part of its offer that it--

- ☐ is
☐ is not

an emerging small business.

(ii) (Complete only for solicitations indicated in an addendum as being for one of the targeted industry categories (TICs) or designated industry groups (DIGs)). The offeror represents as follows:

(A) The offeror's number of employees for the past 12 months (check the Employees column if size standard stated in the solicitation is expressed in terms of number of employees); or

(B) The offeror's average annual gross revenue for the last 3 fiscal years (check the Average Annual Gross Number of Revenues column if size standard stated in the solicitation is expressed in terms of annual receipts).

K1.01-10 (Cont'd)

(Check one of the following:)

<u>NUMBER of EMPLOYEES</u>	<u>AVERAGE ANNUAL GROSS REVENUES</u>
<input type="checkbox"/> 50 or fewer	<input type="checkbox"/> \$1 million or less
<input type="checkbox"/> 51 - 100	<input type="checkbox"/> \$1,000,001 - \$2 million
<input type="checkbox"/> 101 - 250	<input type="checkbox"/> \$2,000,001 - \$3.5 million
<input type="checkbox"/> 251 - 500	<input type="checkbox"/> \$3,500,001 - \$5 million
<input type="checkbox"/> 501 - 750	<input type="checkbox"/> \$5,000,001 - \$10 million
<input type="checkbox"/> 751 - 1,000	<input type="checkbox"/> \$10,000,001 - \$17 million
<input type="checkbox"/> Over 1,000	<input type="checkbox"/> Over \$17 million

(9) **(Complete only if the solicitation contains the clause at FAR 52.219-23, NOTICE OF PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS, or FAR 52.219-25, SMALL DISADVANTAGED BUSINESS PARTICIPATION PROGRAM - DISADVANTAGED STATUS AND REPORTING, and the offeror desires a benefit based on its disadvantaged status.)**

(i) **GENERAL.** The offeror represents that either--

(A) It--

- ☐ is
☐ is not

certified by the Small Business Administration as a small disadvantaged business concern and identified, on the date of this representation, as a certified small disadvantaged business concern in the database maintained by the Small Business Administration (PRO-Net), and that no material change in disadvantaged ownership and control has occurred since its certification, and, where the concern is owned by one or more individuals claiming disadvantaged status, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); or

(B) It--

- ☐ has
☐ has not

submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

(ii) **JOINT VENTURE UNDER THE PRICE EVALUATION ADJUSTMENT FOR SMALL DISADVANTAGED BUSINESS CONCERNS.** The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements in 13 CFR 124.1002(f) and that the representation in paragraph (c)(9)(i) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: _____.

(iii) **ADDRESS.** The offeror represents that its address—

- ☐ is
☐ is not

K1.01-10 (Cont'd)

in a region for which a small disadvantaged business procurement mechanism is authorized and its address has not changed since its certification as a small disadvantaged business concern or submission of its application for certification. The list of authorized small disadvantaged business procurement mechanisms and regions is posted at <http://www.arnet.gov/References/sdbadjustments.htm>. The offeror shall use the list in effect on the date of this solicitation. **Address**, as used in this provision, means the address of the offeror as listed on the Small Business Administration's register of small disadvantaged business concerns or the address on the completed application that the concern has submitted to the Small Business Administration or a Private Certifier in accordance with 13 CFR part 124, subpart B. For joint ventures, **address** refers to the address of the small disadvantaged business concern that is participating in the joint venture.

(10) HUBZONE SMALL BUSINESS CONCERN. (Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.) The offeror represents as part of its offer that--

(i) It--

- ☐ is
- ☐ is not

a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns Maintained by the Small Business Administration, and no material change in ownership and control, principal office, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR Part 126; and

(ii) It--

- ☐ is
- ☐ is not

a joint venture that complies with the requirements of 13 CFR Part 126, and the representation in paragraph (c)(10)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. **(The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture:**

_____.)

Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(11) (Complete if the offeror represented itself as disadvantaged in paragraph (c)(4) or (c)(9) of this provision.) The offeror shall check the category in which its ownership falls:

- ☐ Black American
- ☐ Hispanic American
- ☐ Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).
- ☐ Asian-Pacific American (persons with origin from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).
- ☐ Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).
- ☐ Individual/concern, other than one of the preceding.

K1.01-10 (Cont'd)

(d) **REPRESENTATIONS REQUIRED TO IMPLEMENT PROVISIONS OF EXECUTIVE ORDER 11246.**

(1) **PREVIOUS CONTRACTS AND COMPLIANCE.** The offeror represents that--

(i) It--

☐ has

☐ has not

participated in a previous contract or subcontract subject to the EQUAL OPPORTUNITY clause of this solicitation; and

(ii) It--

☐ has

☐ has not

filed all required compliance reports.

(2) **AFFIRMATIVE ACTION COMPLIANCE.** The offeror represents that--

(i) It--

☐ has developed and has on file

☐ has not developed and does not have on file

at each establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 CFR Subparts 60-1 and 60-2), or

(ii) It--

☐ has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(e) **CERTIFICATION REGARDING PAYMENTS TO INFLUENCE FEDERAL TRANSACTIONS (31 U.S.C. 1352).**

(Applies only if the contract is expected to exceed \$100,000). By submission of its offer, the offeror certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on his or her behalf in connection with the award of any resultant contract.

(f) **TRADE AGREEMENTS CERTIFICATE (JAN 2004) (DFARS 252.225-7020).** **(Applies only if DFARS clause 252.225-7021, TRADE AGREEMENTS (JAN 2004), is incorporated by reference in this solicitation.) DFARS 252.225-7020 is hereby incorporated by reference in its entirety; only the certification portion is reproduced below.**

(1) For all line items subject to the TRADE AGREEMENTS clause of this solicitation, the offeror certifies that each end product to be delivered under this contract, except those listed in subparagraph (2) below, is a U.S.-made qualifying country, designated country, Caribbean Basin country, or Free Trade Agreement country end product.

(2) The following supplies are other nondesignated country end products:

(Insert line item no.)

(Insert country of origin)

(g) **BUY AMERICAN ACT – FREE TRADE AGREEMENTS – BALANCE OF PAYMENTS PROGRAM CERTIFICATE (JAN 2004) (DFARS 252.225-7035).** **(Applies only if DFARS clause 252.225-7036, BUY AMERICAN ACT – FREE TRADE AGREEMENTS – BALANCE OF PAYMENTS PROGRAM (JAN 2004) is incorporated by reference in this solicitation.) DFARS 252.225-7035 is hereby incorporated by reference in its entirety; only the certification portion is reproduced below.**

K1.01-10 (Cont'd)

(1) For all line items subject to the BUY AMERICAN ACT – FREE TRADE AGREEMENTS – BALANCE OF PAYMENTS PROGRAM clause of this solicitation, the offeror certifies that—

(i) Each end product, except the end products listed in subparagraph (2) below, is a domestic end product; and
(ii) Components of unknown origin are considered to have been mined, produced, or manufactured outside the United States or a qualifying country.

(2) The offeror shall identify all end products that are not domestic end products.

(i) The offeror certifies that the following supplies are qualifying country (except Canadian) end products:

(Insert line item number)

(Insert country of origin)

(ii) The offeror certifies that the following supplies are Free Trade Agreement country end products:

(Insert line item number)

(Insert country of origin)

(iii) The following supplies are other foreign end products including end products manufactured in the United States that do not qualify as domestic end products:

(Insert line item number)

(Insert country of origin (if known))

(h) CERTIFICATION REGARDING DEBARMENT, SUSPENSION OR INELIGIBILITY FOR AWARD (EXECUTIVE ORDER 12549).

The offeror certifies, to the best of its knowledge and belief, that--

(1) The offeror and/or any of its principals

[] are
[] are not

presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency,
and

(2) [] have or
[] have not,

within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

[] are or
[] are not

presently indicted for, or otherwise criminally or civilly charged by a government entity with, commission of any of these offenses.

(i) CERTIFICATION REGARDING KNOWLEDGE OF CHILD LABOR FOR LISTED END PRODUCTS (EXECUTIVE ORDER 13126). [The Contracting Officer must list in paragraph (i)(1) any end products being acquired under this solicitation that are included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor, unless excluded at 22.1503(b).]

K1.01-10 (Cont'd)

(1) List End Product.

_____ (Insert end product)	_____ (Insert country of origin)
_____ (Insert end product)	_____ (Insert country of origin)
_____ (Insert end product)	_____ (Insert country of origin)
_____ (Insert end product)	_____ (Insert country of origin)
_____ (Insert end product)	_____ (Insert country of origin)

(2) **CERTIFICATION.** [If the Contracting Officer has identified end products and countries of origin in paragraph (i)(1) of this provision, then the offeror must certify to either (i)(2)(i) or (i)(2)(ii) by checking the appropriate block.]

(i) ☐ The offeror will not supply an end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product.

(ii) ☐ The offeror may supply an end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product. The offeror certifies that is had made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture any such end product furnished under this contract. On the basis of those efforts, the offeror certifies that it is not aware of any such use of child labor.

(j) (1) **ANNUAL REPRESENTATIONS AND CERTIFICATIONS.** Any changes provided by the offeror in paragraph (j) of this provision do not automatically change the representations and certifications posted on the Online Representations and Certifications Application (ORCA) website.

(2) The offeror has completed the annual representations and certifications electronically via the ORCA website at <http://orca.bpn.gov>. After reviewing the ORCA database information, the offeror verifies by submission of this offer that the representations and certifications currently posted electronically at FAR 52.212-3, OFFEROR REPRESENTATIONS AND CERTIFICATIONS – COMMERCIAL ITEMS, have been entered or updated in the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201); except for paragraphs _____.

(FAR 52.212-3/Alternates I/II)

K1.05 OFFEROR REPRESENTATIONS AND CERTIFICATIONS - COMMERCIAL ITEMS (JUN 2005)

(a) **DEFINITIONS.** As used in this clause--

(1) **Foreign person** means any person other than a United States person as defined in Section 16(2) of the Export Administration Act of 1979 (50 U.S.C. App. Sec 2415).

(2) **United States** means the 50 States, the District of Columbia, outlying areas, and the outer Continental Shelf as defined in 43 U.S.C. 1331.

(3) **United States person** is defined in Section 16(2) of the Export Administration Act of 1979 and means any United States resident or national (other than an individual resident outside the United States and employed by other than a United States person), any domestic concern (including any permanent domestic establishment of any foreign concern), and any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern that is controlled in fact by such domestic concern, as determined under regulations of the President.

(b) **CERTIFICATION.** By submitting this offer, the offeror, if a foreign person, company, or entity, certifies that it--

(1) Does not comply with the Secondary Arab Boycott of Israel; and

(2) Is not taking or knowingly agreeing to take any action, with respect to the Secondary Boycott of Israel by Arab countries, which 50 U.S.C. App. Sec 2407(a) prohibits a United States person from taking. (DFARS 252.212-7000, **tailored**)

K15 RELEASE OF UNIT PRICES (DESC MAR 2004)

The Defense Energy Support Center (DESC) will continue to release unit prices of successful offerors after the contract award pursuant to 10 U.S.C. 2305(g)(2), FAR 15.506(d)(2) and 32 CFR 286h-3. Unit prices are the bottom-line price per unit of product and may include the total contract price. They do not include any breakout of costs, such as transportation or overhead, and do not disclose the offeror's anticipated profit or any pricing factors. (DESC 52.224-9F25)

REPRESENTATIONS, CERTIFICATIONS AND OTHER STATEMENTS OF OFFERORS

K33.01 AUTHORIZED NEGOTIATORS (DESC JAN 1998)

The first page of the offer must show names, titles, and telephone and facsimile numbers (and electronic addresses if available) of persons authorized to negotiate with the Government on the offeror's behalf in connection with this solicitation. The offeror or quoter represents that the following persons are authorized to negotiate on its behalf with the Government in connection with this request for proposals or quotations.

(DESC 52.215-9F28)

K38 AUTHORIZATION AND MINE DESCRIPTION FORM (DESC FEB 1985)

(a) For each mine from which the offeror proposes to supply coal under this solicitation, the offeror is required to submit WITH THE OFFER one properly-executed DESC Form 4.23, AUTHORIZATION AND MINE DESCRIPTION, except as provided in (b) below. The Mine Form is attached to this solicitation. It shall be completed and signed by an authorized official of the Operating Company. The **authorized official of the Operating Company** means that individual who is authorized to commit the coal for sale on behalf of the Operating Company and/or the Mine Owner. The Government reserves the right to reject any offer if the applicable Mine Form has not been received with the offer. Further, the Government reserves the right to verify the statements made in the Mine Form prior to award and, in the case of erroneous statements, an offer based on that Mine Form may be rejected. In the event that the Contractor requests that additional mine(s) be added after contract award, one properly-executed Mine Form for each mine shall be furnished by the Contractor at the time of this request.

(b) In the event that the proposed mine is owned by the offeror or by a subsidiary, division, or affiliate of the offeror, DESC Form 4.23, AUTHORIZATION AND MINE DESCRIPTION, will not be required for that mine. However, in such case, the offeror shall state below the mine(s) exempted by this paragraph (b):

(c) Offerors who offer coal from tipples or preparation plants must clearly identify the mine source(s) and must provide a properly executed AUTHORIZATION AND MINE DESCRIPTION form signed by an authorized official of the Operating Company and/or the Mine Owner providing the coal. (DESC 52.208-9F15)

K85 DISCLOSURE OF OWNERSHIP OR CONTROL BY THE GOVERNMENT OF A TERRORIST COUNTRY (MAR 1998)

(a) **DEFINITIONS.** As used in this provision--

(1) **Government of a terrorist country** includes the state and the government of a terrorist country, as well as any political subdivision, agency, or instrumentality thereof.

(2) **Terrorist country** means a country determined by the Secretary of State, under Section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(i)(A)), to be a country the government of which has repeatedly provided support for acts of international terrorism. As of the date of this provision, terrorist countries include Cuba, Iran, Iraq, Libya, North Korea, Sudan, and Syria.

(3) **Significant interest**, as used in this provision means--

(i) Ownership of or beneficial interest in 5 percent or more of the firm's or subsidiary's securities. Beneficial interest includes holding 5 percent or more of any class of the firm's securities in "nominee shares," "street names," or some other method of holding securities that does not disclose the beneficial owner;

(ii) Holding a management position in the firm, such as director or officer;

(iii) Ability to control or influence the election, appointment, or tenure of directors or officers in the firm;

(iv) Ownership of 10 percent or more of the assets of a firm such as equipment, buildings, real estate, or other tangible assets of the firm; or

(v) Holding 50 percent or more of the indebtedness of a firm.

(b) **PROHIBITION ON AWARD.** In accordance with 10 U.S.C. 2327, no contract may be awarded to a firm or subsidiary of a firm if the government of a terrorist country has a significant interest in the firm or subsidiary or, in the case of a subsidiary, the firm that owns the subsidiary, unless a waiver is granted by the Secretary of Defense.

(c) **DISCLOSURE.**

If the government of a terrorist country has a significant interest in the offeror or a subsidiary of the offeror, the offeror shall disclose such interest in an attachment to its offer. If the offeror is a subsidiary, it shall also disclose any significant interest each government has in any firm that owns or controls the subsidiary. The disclosure shall include--

(1) Identification of each government holding a significant interest; and

(2) A description of the significant interest held by each Government.

(DFARS 252.209-7001)

K93 REPRESENTATION OF EXTENT OF TRANSPORTATION BY SEA (AUG 1992)

(a) The offeror shall indicate by checking the appropriate blank in paragraph (b) of this provision whether transportation of supplies by sea is anticipated under the resultant contract. The term "supplies" is defined in the TRANSPORTATION OF SUPPLIES BY SEA clause of this solicitation.

(b) **REPRESENTATIONS.**

The offeror represents that it--

[] Does anticipate that supplies will be transported by sea in the performance of any contract or subcontract resulting from this solicitation.

[] Does not anticipate that supplies will be transported by sea in the performance of any contract or subcontract resulting from this solicitation.

(c) Any contract resulting from this solicitation will include the TRANSPORTATION OF SUPPLIES BY SEA clause. If the offeror represents that it will not use ocean transportation, the resulting contract will also include the Defense FAR Supplement clause at 252.247-7024, NOTIFICATION OF TRANSPORTATION OF SUPPLIES BY SEA.

(DFARS 252.247-7022)

INSTRUCTIONS, CONDITIONS AND NOTICES TO OFFERORS
CONTRACT ADMINISTRATION

G9.06 ADDRESS TO WHICH REMITTANCE SHOULD BE MAILED (DESC DEC 1999)

Remittances shall be mailed only at the Government’s option or where an exception to payment by Electronic Funds Transfer (EFT) applies. (See the PAYMENT BY ELECTRONIC FUNDS TRANSFER - CENTRAL CONTRACTOR REGISTRATION or the PAYMENT BY ELECTRONIC FUNDS TRANSFER - OTHER THAN CENTRAL CONTRACTOR REGISTRATION clause.)

Offeror shall indicate below the complete mailing address (including the nine-digit zip code) to which remittances should be mailed if such address is other than that shown in Block 15a (Standard Form (SF) 33) for noncommercial items or Block 17a (SF 1449) for commercial items. In addition, if offeror did not incorporate its nine-digit zip code in the address shown in Block 15a of the SF 33 or in Block 17a of the SF 1449, the offeror shall enter it below:

(a) Payee Name (Contractor): _____
(DO NOT EXCEED 25 CHARACTERS)

(b) Check Remittance Address:

(DO NOT EXCEED 30 CHARACTERS PER LINE)

(c) Narrative Information (special instructions).

(DO NOT EXCEED 153 CHARACTERS)

(DESC 52.232-9F55)

1238.02 NOTICE OF PRICE EVALUATION PREFERENCE FOR HUBZONE SMALL BUSINESS CONCERNS
(JUL 2005)

(a) **DEFINITION. HUBZone small business concern**, as used in this clause, means a small business concern that appears on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration.

(b) **EVALUATION PREFERENCE.**

(1) Offers will be evaluated by adding a factor of 10 percent to the price of all offers, except—

- (i) Offers from HUBZone small business concerns that have not waived the evaluation preference; and
- (ii) Otherwise successful offers from small business concerns.

(2) The factor of 10 percent shall be applied on a line item basis or to any group of items on which award may be made. Other evaluation factors described in the solicitation shall be applied before application of the factor.

(3) A concern that is both a HUBZone small business concern and a small disadvantaged business concern will receive the benefit of both the HUBZone small business price evaluation preference and the small disadvantaged business price evaluation adjustment (see FAR clause 52.219-23). Each applicable price evaluation preference or adjustment shall be calculated independently against an offeror's base offer. These individual preference amounts shall be added together to arrive at the total evaluated price for that offer.

(c) **WAIVER OF EVALUATION PREFERENCE.** A HUBZone small business concern may elect to waive the evaluation preference, in which case the factor will be added to its offer for evaluation purposes. The agreements in paragraph (d) of this clause do not apply if the offeror has waived the evaluation preference.

[] Offeror elects to waive the evaluation preference.

(d) **AGREEMENT.** A HUBZone small business concern agrees that in the performance of the contract, in the case of a contract for-

(1) Services (except construction), at least 50 percent of the cost of personnel for contract performance will be spent for employees of the concern or employees of other HUBZone small business concerns;

(2) Supplies (other than procurement from a nonmanufacturer of such supplies), at least 50 percent of the cost of manufacturing, excluding the cost of materials, will be performed by the concern or other HUBZone small business concerns;

(3) General construction, at least 15 percent of the cost of the contract performance incurred for personnel will be spent on the concern's employees or the employees of other HUBZone small business concerns; or

(4) Construction by special trade contractors, at least 25 percent of the cost of the contract performance incurred for personnel will be spent on the concern's employees or the employees of other HUBZone small business concerns.

(e) A HUBZone joint venture agrees that in the performance of the contract, the applicable percentage specified in paragraph (d) of this clause will be performed by the HUBZone small business participant or participants;

(f) A HUBZone small business concern nonmanufacturer agrees to furnish in performing this contract only end items manufactured or produced by HUBZone small business manufacturer concerns. This paragraph does not apply in connection with construction or service contracts.

(FAR 52.219-4)

AUTHORIZATION AND MINE DESCRIPTION FOR SOLICITATION NUMBER: **SP0600-07-R-0400**

(Submit one completed form for EACH mine with bid/offer)

1. THIS WILL AUTHORIZE THE FOLLOWING COMPANY TO SELL COAL FROM THE MINE DESCRIBED BELOW TO THE DEFENSE FUEL SUPPLY CENTER UNDER THE ABOVE SOLICITATION NUMBER.

2. I HEREBY AGREE TO FURNISH _____

(INSERT NO. OF TONS AND SIZE), MEETING OR EXCEEDING THE MINIMUM

SPECIFICATIONS FOR ITEM(S) _____ TO:

COMPANY NAME AND ADDRESS: _____

(Insert name of company, Agent, Broker, or Individual authorized to sell
your coal to DFSC) _____

3. MINE NAME _____ STATE PERMIT NUMBER _____

(Insert current and previous names, if known) (May be continued in Para. 6., Remarks)

LOCATION _____ COUNTY _____ STATE _____

SEAM NAME _____ SEAM NUMBER _____ TYPE _____

(Deep, Slope, Strip,

MINE BUSINESS SIZE: () Large Business(**500 employees or more**)

Shaft, Auger)

() Small Business (**Less than 500 employees**) (Reference clause L2.05(a))

4. TIPPLE NAME _____ STATE PERMIT NUMBER _____

(Insert current and previous names, if known)

LOCATION _____ COUNTY _____ STATE _____

5. SHIPPING POINT _____ CAR SIDING CAPACITY _____

LOCATION _____ RAILROAD(S) _____

6. REMARKS: _____

7. OPERATING COMPANY: _____

(Insert name of the company which is operating the MINE described above)

ADDRESS: _____

8. _____
NAME AND TITLE OF AUTHORIZED OFFICIAL OF OPERATING COMPANY (Type or Print)

DATE _____

SIGNATURE OF AUTHORIZED OFFICIAL OF OPERATING COMPANY

TELEPHONE NUMBER _____

CONTRACTOR PERFORMANCE DATA SHEET

PLEASE COMPLETE THE INFORMATION CONTAINED ON THIS DATA SHEET FOR ALL CONTRACTS AND/OR SUBCONTRACTS

PERFORMED DURING THE LAST 2 FILL-IN) YEARS FOR THE SAME OR SIMILAR WORK REQUIRED BY THE SOLICITATION (IN TERMS OF SCOPE, COMPLEXITY, TYPE OF PRODUCTS, QUANTITIES, DELIVERY MODES, PERFORMANCE PERIODS, DELIVERY SCHEDULES, QUALITY REQUIREMENTS, ETC). THE CONTRACTS SUBMITTED SHOULD HAVE A MINIMUM OF ONE YEAR PERFORMANCE HISTORY. THESE CONTRACTS MAY INCLUDE EFFORTS UNDERTAKEN ON BEHALD OF FEDERAL AGENCIES, INCLUDING THOSE PERFORMED FOR NON-DOD ACTIVITIES, QUASI-GOVERNMENT ORGANIZATIONS, STATE OR LOCAL GOVERNMENTS, AND/OR PRIVATE INDUSTRY. THE INFORMATION PROVIDED IN THIS DATA SHEET WILL BE IESED TO EVALUATE THE OFFEROR'S PAST PERFORMANCE IN MEETING QUALITY AND DELIVERY OBJECTIVES. THE RESULTS WILL BE USED IN THE OVERALL COMPARATIVE EVALUATION OF THE OFFEROR(S) IN ACCORDANCE WITH SECTION M OF THE REQUEST FOR PROPOSALS (RFP).

GENERAL INFORMATION

Contractor Name and Address:					Contractor Point of Contact												
					Phone:		Fax:										
CONTRACT INFORMATION																	
Contract Number:				Contract Type:													
Period of Performance:				Contract Dollar Value:													
Place of Performance:				# of Line Items Serviced:													
Contract Customer			DoD			Non-DoD			Quasi-Gov't			State or Local			Private Industry		
Customer Name and Address:																	
Customer Points of Contact (Name, Title, Phone, and Fax):																	
1.									2.								
Phone:									Fax:								
Phone:									Fax:								
Brief Description of work/supplies furnished:																	